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24 **Attorney for Plaintiff**
25 **VAN A. PENA, PHD., M.D.**

26 **THE UNITED STATES DISTRICT COURT**
27 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

28 **VAN A. PENA, PHD., M.D.,**

Plaintiff,

v.

TIMOTHY MEEKER, PATRICIA
REES, HAL PETERSON, JENNIFER
WEAR, DENISE SHELDON, NORM
KRAMER, AND JUDITH
BJORNDAL,

Defendants.

S CASE NO. C 00-4009 CW

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S ORDER GRANTING

S STIPULATION REQUESTING THAT

S THE CASE MANAGEMENT

S CONFERENCE BE RESCHEDULED.

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S Current date for the CMC: March 4, 2008

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S Proposed date for the CMC: June 24, 2008

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S The Honorable Claudia Wilken

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1 **NOW COME THE PARTIES**, by and through their counsel of record, and hereby
2 request that the Case Management Conference, which is currently set for March 4, 2008, be
3 rescheduled for June 24, 2008. In support thereof, the parties would show the Court the
4 following:

5 1. Plaintiff's counsel is currently set to be in trial in Sacramento on March 4, 2008,
6 in *Paterson v. InterCon Security Systems, Inc.*, Civil Action No. 2:05-cv-827, in the United
7 States District Court for the Eastern District of California, the Honorable Morris C. England, Jr.,
8 presiding.

9 2. This case is currently on appeal before the United States Court of Appeals for the
10 Ninth Circuit. The matter has been fully briefed, but has not been set for oral argument. The
11 parties do not anticipate a decision from the Ninth Circuit prior to the current March 4, 2008 date
12 for the Case Management Conference.

13 Accordingly, the parties respectfully request that this Court reschedule the Case
14 Management Conference for June 24, 2008.

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16 **RESPECTFULLY SUBMITTED.**

17
18 **Dated: January 28, 2008**

**EDMUND G. BROWN JR, Attorney General
of the State of California
MIGUEL NERI
FIEL D. TIGNO**

21 /s/ Terry Senne
22 **TERRY SENNE**
23 **Deputy Attorney General**
24 **Attorneys for Defendants**

25 **Dated: January 28, 2008**

LAW OFFICES OF LAWRENCE J. KING

26 By: /s/ Lawrence J. King
27 **LAWRENCE J. KING**
28 **Attorney for Plaintiff**
VAN A. PENA, PHD., M.D.

1 **ORDER**

2 Having reviewed the parties stipulation and finding good cause therefor, the Court hereby
3 GRANTS the parties request and reschedules this case for a Case Management Conference to be
4 held on June 24, 2008 at 2:00 p.m.

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6 **IT IS SO ORDERED.**

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8 **Dated: January 28, 2008**



9 The Honorable Claudia Wilken
10 United States District Judge
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